

**FISH.**

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VIA ECF

January 4, 2017

Hon. Laura Taylor Swain  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005  
202 783 5070 main  
202 783 2331 fax

**Leah A. Edelman**  
Associate  
edelman@fr.com  
202 626 7712 direct

Re: *Kaufman v. Microsoft Corp.*, 16-cv-2880-LTS  
Joint Notification of Scheduled Expert Deposition Per Order [ECF No. 44]

The Honorable Judge Swain:

Defendant Microsoft Corporation and Plaintiff Michael Philip Kaufman jointly write to advise the Court of the scheduled expert deposition of Plaintiff's expert on **February 22, 2017**, as ordered by the Court. ECF No. 44. Further pursuant to the Court's order, Microsoft's sur-reply will be due five business days after the deposition, on **March 1, 2017**. See ECF No. 44.

Should Microsoft include an expert declaration in response to Plaintiff's reply and expert declaration, Microsoft will make that expert available within two weeks of the sur-reply. Thus, the parties respectfully request the Court provide an adjusted expert deposition deadline, currently set for January 31, 2017 per the Court's Scheduling Order, to **March 15, 2017**. See ECF No. 30.

In addition, the parties respectfully request that the Court adjourn the February 16, 2017 hearing date for some time after March 22, 2017. See ECF No. 44.

A request for extension of the deadline for Microsoft's answer to June 24, 2016 was previously made (while Microsoft was seeking counsel), a joint request for extension of the deadline for the LPR 11 Joint Claim Terms Chart to October 18, 2016 was previously made, and a request for an adjournment of the Initial Conference to July 26, 2016 was also made.

Respectfully submitted,



Leah A. Edelman (LE7384)

cc: Plaintiff Michael Philip Kaufman (via ECF)  
Courtesy copy to Chambers (via Fax)

fr.com



**CERTIFICATE OF SERVICE**

I hereby certify that on January 4, 2017, I electronically filed the foregoing Letter-Motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Leah A Edelman

Leah A. Edelman